

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

|                                |   |             |
|--------------------------------|---|-------------|
| HOWARD HILL,                   | ) |             |
|                                | ) |             |
| Plaintiff,                     | ) |             |
|                                | ) |             |
| v.                             | ) | 1:05CV00582 |
|                                | ) |             |
| MIKE LEAVITT, Secretary of the | ) |             |
| U.S. Department of Health &    | ) |             |
| Human Services,                | ) |             |
|                                | ) |             |
| Defendant.                     | ) |             |
| _____                          | ) |             |

ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION

On August 24, 2007, Magistrate Judge Wallace W. Dixon filed his Recommendation [Doc. # 24] that Defendant's Motion for Summary Judgment [Doc. # 16] be granted. Rule 72 of the Federal Rules of Civil Procedure provides that "[w]ithin 10 days after being served with a copy of the recommended disposition, a party may serve and file specific, written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b). Also on August 24, 2007, the parties were mailed notification of the Recommendation filing and informed that objections to the Recommendation were due on September 13, 2007. Neither party filed an objection to the Recommendation.

The Court, therefore, adopts the Recommendation. Thus, for the reasons set out in the Recommendation, the Defendant's Motion for Summary Judgment [Doc. #

16] is GRANTED.

This the 24th day of September, 2007.

/s/ N. Carlton Tilley, Jr.  
United States District Judge